

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:19-cr-68
v.)	
)	Judge Travis R. McDonough
BRANDON CHASE SUMMEY)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 31) recommending that the Court: (1) grant Defendant’s motion to withdraw his not-guilty plea to Counts Five, Six and Seven of the fifteen-count Indictment; (2) accept Defendant’s guilty plea to Counts Five, Six and Seven of the fifteen-count Indictment; (3) adjudicate Defendant guilty of Count Five—knowing possession of a stolen firearm in violation of 18 U.S.C. § 922(j); Count Six—possession with intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule 1 controlled substance, in violation of 21 U.S.C. § 841(a)(1) and 841(b)(1)(D); and Count Seven—possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger’s report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s report and recommendation (Doc. 31) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant’s motion to withdraw his not-guilty plea to Counts Five, Six and Seven of the fifteen-count Indictment is **GRANTED**;

2. Defendant's plea of guilty to Counts Five, Six and Seven of the fifteen-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count Five—knowing possession of a stolen firearm in violation of 18 U.S.C. § 922(j); Count Six—possession with intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1) and 841(b)(1)(D); and Count Seven—possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i); and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on **May 22, 2020, at 9:00 a.m.**

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE